

MAY 20 2010

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:10CR11-C

UNITED STATES OF AMERICA)
)
 v.) CONSENT ORDER AND
) JUDGMENT OF FORFEITURE
)
 DARRICK RUSSELL MCQUEEN.)

BASED UPON Defendant's plea of guilty, and finding that there is a substantial nexus between the property listed below and the offense/s to which Defendant has pled guilty and that Defendant has or had a legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. § 981 and 982, 21 U.S.C. § 853, and/or 28 U.S.C. § 2461(c):

The sum of \$341,819.27 in proceeds of the violations set forth in the Bill of Indictment;

One 2006 Mercedes-Benz, VIN WDDDJ75X66A077171, seized pursuant to this investigation;

One 2004 Jaguar, VIN SAJWA71C84SG17864, seized pursuant to this investigation;

Approximately \$34,000.00 in funds seized pursuant to this investigation from First Citizens Bank and Trust of South Carolina Safe Deposit Box XXX0080, such box leased to McQueen Tax Services;

Approximately \$26,080.19 in funds seized pursuant to this investigation from First Citizens Bank and Trust of South Carolina Account XXXXXXXX8801, such account held in the name of McQueen Tax Service;

Approximately \$5203.11 in funds seized pursuant to this investigation from First Citizens Bank and Trust of South Carolina Account XXXXXXXX2601, such account held in the name of Frank McQueen DBA Custom Computer Services; and

Approximately \$4128.21 in funds seized pursuant to this investigation from First Citizens Bank and Trust of South Carolina Account XXXXXXXX9601, such account held in the name of Frank McQueen.

2. The United States Secret Service and/or other property custodian for the investigative agency is authorized to take possession and maintain custody of the above specifically identified property;

3. The United States shall, to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the specifically identified property, and shall publish notice of this forfeiture as required by law;

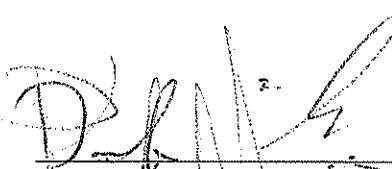
4. Any person, other than Defendant, asserting any legal interest in the specifically identified property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest;

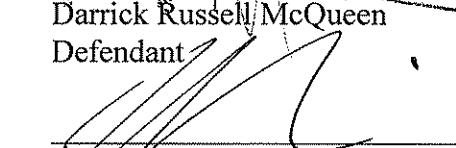
5. Following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order and judgment of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law. To the extent that this consent order constitutes a \$341,819.27 forfeiture money judgment, this order is a final money judgment;

The parties stipulate and agree that the aforementioned assets constitute property derived from or traceable to proceeds of Defendant's crime(s) herein and/or substitute property, and are therefore subject to forfeiture pursuant to 18 U.S.C. §§ 981 and 982, 21 U.S.C. § 853 and/or 28 U.S.C. § 2461(c). Defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against Defendant. If Defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, Defendant hereby withdraws that claim. If Defendant has not previously submitted such a claim, Defendant hereby waives all right to do so.

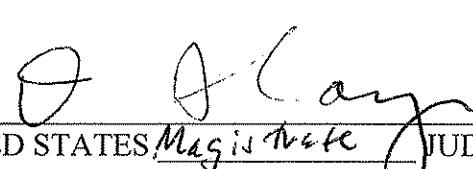
ANNE M. TOMPKINS
UNITED STATES ATTORNEY


Benjamin Bain-Creed
Special Assistant United States Attorney


Darrick Russell McQueen
Defendant


John Josef Nickerson, Esq.
Attorney for Defendant

Signed this 20th day of May, 2010.


D. J. Lay
UNITED STATES Magistrate JUDGE